THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO: 10781 of 2006

Dated: 21-09-2006

Between:

Moru Rama Raju and four others.

..... PETITIONER

AND

The District Collector,
Eluru, West Godavari District
and three others.

.....RESPONDENTS

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 10781 of 2006

O R D E R:

This writ petition is filed seeking to declare that the pisiculture in the fish tanks of the petitioners admeasuring Ac.9-51cents and Ac.2-10 cents in R.S.Nos.234 and 236/1, situated at Vaddigudem village, Pedapadu Mandal, West Godavari District, an extent of Ac.9-99 cents in R.S.No.437/6 situated at Satyavolu village, Pedapau Mandal, West Godavari District and extent of Ac.0-49 cents in R.S.No.227 of Vaddigudem village and Ac.8-00 in R.S.No.437/6 in Satyavolu village, an extent of Ac.6-00 cents in R.s.No.228/1 and 228/2 of Vaddigudem village, an extent of Ac.25-17 cents in R.S.No.39,41,42,71 to 74 of Kalakkurru village, Eluru Mandal, an extent of Ac.8-74 cents in R.S.No. 426/2B, 426/2C and 426/2D if Satyavolu village, Pedapadu Mandal, West Godavari District, is not contrary to the G.O.Ms.No.120 dated 04-10-1999 (Environment, Forest, Science and Technology) and Life Prohibition Act, 1972, and the action of the respondents in threatening to demolish the fish tanks of the petitioners after commencement of monsoons is arbitrary and illegal.

It is brought to my notice by the learned Government Pleader appearing for respondents that having considered identical issues a Division Bench of this Court rejected similar prayers in a batch of writ petitions.

Learned counsel appearing for the petitioners does not dispute the fact that the issue involved in this writ petition is squarely covered

by the decision of Division Bench.

Accordingly, the writ petition is dismissed. However, it is made clear that the respondents shall not disturb the agriculture activities in the lands in question without following due process of law. No costs.

G.ROHINI,J

Dated: 21-09-2006
KLP